

Patent



Attorney Docket No.: Intel 2207/6026
Assignee: Intel Corporation

SC
#20
2/17/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : William C. DeLEEuw
SERIAL NO. : 09/222,906
FILED : December 30, 1998
FOR : A METHOD FOR EXTRACTING INFORMATION
FROM A FILE USING A PRINTER DRIVER
GROUP ART UNIT : 2178
EXAMINER : Cong Lac T. HUYNH

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Dated: February 6, 2004

Signature

Barbara Vance

ATTENTION: Board of Patent Appeals and Interferences

APPELLANT'S BRIEF

Dear Sir:

This brief is in furtherance of the Notice of Appeal, filed in this case on December 9, 2003.

02/12/2004 DTESSEM1 00000044 110600 09222906

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1. REAL PARTY IN INTEREST

The real party in interest in this matter is Intel Corporation. (Recorded March 29, 1999; Reel/Frame 9855/0115).

2. RELATED APPEALS AND INTERFERENCES

There are no related appeals.

3. STATUS OF THE CLAIMS

Claims 1-19 are pending in the application. Claims 1-5, 8-12, and 18-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Yokomizo et al. U.S. Patent No. 5,907,835 (hereinafter "Yokomizo"). Claims 6-7 and 13-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yokomizo.

4. STATUS OF AMENDMENTS

No claims were amended.

5. SUMMARY OF THE INVENTION

The present invention relates to using a printer driver to extract file information. A cataloging device connected to a database has a processor connected to a computer readable memory. The computer readable memory has an extraction application module, extraction printer driver module, and a searching application module. The extraction printer driver module converts the file into a format for output by a printer. The searching application searches for text information from the converted file.

The method for extracting and cataloging the contents of a file in accordance with the present invention will now be described with reference to Figure 2. Hard drive 214 stores documents which may have been created using application module 210 or other application modules (not shown) which employ file formats that differ from the file format employed using application module 210.

Next, extraction application module 208 identifies the “owning” application (application module 210, in this example) for the file associated with the first filename on the catalog list, launches the owning application, and instructs the owning application to send extraction printer driver module 212 instructions for printing the file. In this embodiment, extraction printer driver module 212 includes a real or virtual printer driver that converts printing instructions from an application (*e.g.*, application module 210) into a format for output to another device or system. Thus, a real printer driver would convert printing instructions into a modified format which is output to a printer while a virtual printer driver would convert the printing instructions into a possibly different format which is not specifically output to an actual printer. As used herein, “printer driver module” refers to a driver module that is used to convert printing instructions into a format for output to another device or system, such as a printer, a facsimile machine, or the like.

After receiving the instructions from extraction application module 208, application module 210 sends extraction printer driver module 212 instructions on how to “draw” the pages to be printed. Extraction printer driver module 212 then separates the text within the received file into a series of text strings of varying length and analyzes the text characteristics of each text string. Next, extraction printer driver module 212 creates a list including the filename associated with each text string, the actual text string, and the text characteristics of that text string.

Hierarchy information is derived from the text characteristics and helps to indicate whether a particular text string is located within a title, within a subtitle or within a paragraph of a document. Listing hierarchy information with a particular text string enables a user who subsequently searches the cataloging system to determine the extent to which the subject of a text string may be addressed within a particular file. Once each text string within the file has been listed, extraction printer driver module 212 stores the list in database 218. The system of Figure 2 repeats the above steps until each file on the catalog list has been stored in database 218.

6. ISSUE

- A. Are claims 1-5, 8-12, and 18-19 anticipated under 35 U.S.C. §102(e) by Yokomizo?
- B. Are claims 6-7 and 13-17 unpatentable under 35 U.S.C. §103(a) over Yokomizo?

7. GROUPING OF CLAIMS

For the purpose of this appeal, the claims may be grouped as follows. A separate basis of patentability exists for each group.

- A. Claims 1-5, 8-12, and 18-19.
- B. Claims 6-7 and 13-17.

The claims in these groups do not stand or fall together unless so indicated below in the argument.

8. ARGUMENT

A. Claims 1-5, 8-12, and 18-19 are not anticipated under 35 U.S.C. §102(e) by Yokomizo

Independent claims 1, 8, and 18 of the present invention describe processing a file with a printer driver module to generate a representation having a modified format for output by a printer and extracting text information from that representation. Claims 2-5, 9-12 and 19, respectively, depend from and further define claims 1, 8, and 18.

Claims 1-5, 8-12, and 18-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Yokomizo. Yokomizo discloses an electronic filing system that handles files prepared by different application programs by converting each file into a common data format from a print data format.

35 U.S.C. §102(e) states:

(e) the invention was described in- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a);

Appellants respectfully submit that Yokomizo fails to describe extracting text information from the representation having a modified format generated by the printer driver module for output by a printer, as recited in amended claims 1, 8, and 18. The Examiner, in his rebuttal to the appellants' previous response, states:

Yokomizo further discloses (as cited by Examiner) that the character information is directly extracted from the GDI codes transferred to the driver (col 6, lines 49-53).

Obviously, the extraction of character information is from the representation from the printer driver module, not from the original application file since the GDI codes are not the original application file. The *GDI codes are converted from the original application file and then transferred to the driver, where said codes are considered as representation of the printer driver module.*

(Office Action of 9/15/2003, Page 10)(emphasis as shown in the original).

As stated previously regarding Yokomizo, the representation from which text data is extracted is not created by the printer driver but by a module that precedes the printer driver. As shown by the final sentence of the above quotation, the Examiner agrees. This does not follow the elements of claims 1, 8 and 18, wherein the printer driver creates the representation used and not some other driver emulating the printer driver. Therefore, the extraction of character information referred to by the Examiner is not from the representation from the printer driver module but from the original application file, however that original application file may be altered.

In summary, it has been demonstrated that the Yokomizo reference does not suggest the recited claim combination. Accordingly, a rejection of these claims under 35 U.S.C. §102(e) is improper. In view of the above, Appellants respectfully submit that the rejection of claims 1-5, 8-12, and 18-19 should be reversed.

B. Claims 6-7 and 13-17 are not rendered obvious by Yokomizo

Independent claims 1, 8, and 15 of the present invention describe processing a file with a printer driver module to generate a representation having a modified format for output by a printer and extracting text information from that representation. Claims 6-7, 13-14 and 16-17, respectively, depend from and further define claims 1, 8, and 15.

Claims 6-7 and 13-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over

Yokomizo. As stated above, Yokomizo does not disclose extracting information from the representation, as claimed in claims 6-7, 13-14, and 16-17 through their dependence on claims 1, 8, and 15, respectively.

In summary, it has been demonstrated that the Yokomizo reference does not suggest the recited claim combination. Accordingly, a rejection of these claims under 35 U.S.C. §103(a) is improper. In view of the above, Appellants respectfully submit that the rejection of claims 6-21 should be reversed.

CONCLUSION

Appellants therefore respectfully request that the Board of Patent Appeals and Interferences reverse the Examiner's decision rejecting claims 1-19 and direct the Examiner to pass the case to issue.

The Examiner is hereby authorized to charge the appeal brief fee of \$330.00 and any additional fees which may be necessary for consideration of this paper to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

Date: February 6, 2004

By: Stephen T. Neal
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APPENDIX

(Brief of Appellants William C. DeLEEuw
U.S. Patent Application Serial No. 09/222,906)

CLAIMS ON APPEAL

1. A method for extracting information from a file, comprising:

processing a file with a printer driver module to generate a representation having a modified format for output by a printer; and

extracting text information from said representation.
2. The method of claim 1, wherein said extracted information is a text string.
3. The method of claim 2, wherein said extracted information includes at least one text characteristic of said text string.
4. The method of claim 3, further comprising:

storing said text string and said at least one text characteristic of said text string in a data base.
5. The method of claim 4, wherein processing further comprises:

launching an owning application used to create said file; and

instructing said owning application to print said file using said printer driver module.
6. The method of claim 5, further comprising:

obtaining a current list of files and a previous list of files;

comparing said current list with said previous list to identify new files and modified files;
and

repeating the processing, extracting, and storing steps for each new file and each modified file.

7. The method of claim 6, further comprising searching said database for at least one document which includes desired text.

8. A set of instructions residing in a storage medium, said set of instructions capable of being executed by a processor to implement a method for extracting information from a file, the method comprising:

processing a file with a printer driver module to generate a modified file having a modified format for output by a printer; and

extracting text information from said modified file.

9. The method of claim 8, wherein said extracted information is a text string.

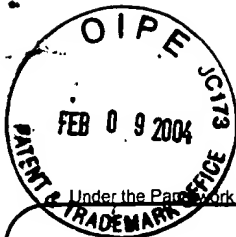
10. The method of claim 9, wherein said extracted information includes at least one text characteristic of said text string.

11. The method of claim 10, further comprising:

storing said text string and said at least one text characteristic of said text string in a data base.

12. The method of claim 11, wherein the processing step further comprises:
launching an owning application used to create said file; and
instructing said owning application to print said file using said printer driver module.
13. The method of claim 12, further comprising:
obtaining a current list of files and a previous list of files;
comparing said current list with said previous list to identify new files and modified files;
and
repeating the processing, extracting, and storing steps for each new file and each modified file.
14. The method of claim 13, further comprising searching said database for at least one document which includes desired text.
15. A system for extracting information from a file, comprising:
a cataloging device, said cataloging device including a processor adapted to be connected to a computer readable memory;
an extraction application module included within said computer readable memory;
an extraction printer driver module included within said computer readable memory, the extraction printer driver module to convert the file into a format for output by a printer;
a searching application module included within said computer readable memory, the searching application to search for text information from the converted file; and
a database adapted to be connected to said cataloging device.

16. The system of claim 15, further comprising:
a network connected to said cataloging device.
17. The system of claim 15, further comprising:
at least one application module included within said computer readable memory.
18. An apparatus for extracting information from a file, comprising:
a processor;
a computer readable memory connected to said processor;
an extraction application module included within said computer readable memory;
an extraction printer driver module included within said computer readable memory, the
extraction printer driver module to convert the file into a format for output by a printer; and
a searching application module included within said computer readable memory, the
searching application to search for text information from the converted file.
19. The apparatus of claim 18, further comprising:
at least one application module included within said computer readable memory.



PTO/SB/21 (05-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/222,906	
	Filing Date	December 30, 1998	
	First Named Inventor	William C. DeLEEuw	
	Art Unit	2178	
	Examiner Name	Cong Lac T. HUYNH	
Total Number of Pages in This Submission	37	Attorney Docket Number	Intel 2207/6026

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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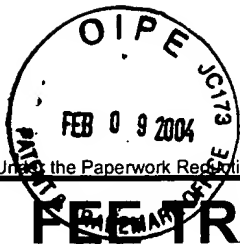
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Stephen T. Neal - (Reg. No. 47,815) Attorneys for Intel Corporation
Signature	<i>Stephen T. Neal</i>
Date	February 6, 2004

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**330.00**

Complete if Known

Application Number **09/222,906**
Filing Date **December 30, 1998**
First Named Inventor **William C. DeLEEUW**
Examiner Name **Cong Lac T. HUYNH**
Art Unit **2178**
Attorney Docket No. **Intel 22078026**

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

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Deposit Account Number **11-0600**

Deposit Account Name **Kenyon & Kenyon**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X 18.00	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X 86.00	<input type="text"/>
Multiple Dependent					

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	330.00
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

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SUBMITTED BY

Name (Print/Type) **Stephen T. Neal** Registration No. **47,815** Telephone **(408) 975-7500**
Signature *Stephen T. Neal* Date **February 6, 2004**

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